

# CONFIRMED: DUTCH RUPPERSBERGER, NSA INTERCEPTS, AND DEEP HYPOCRISY ON LEAKS

WSJ has a tick-tock of how the talking points on Benghazi developed. It confirms two of the things I noted yesterday. The Intelligence Community developed the talking points behind the pseudo-scandal pursuant to a request from Dutch Ruppertsberger.

Later on Sept. 13, then-director David Petraeus presented the CIA's initial findings to the Senate Intelligence Committee. His conclusions mirrored that morning's intelligence reporting. He said the attack began "spontaneously" following the protest in Cairo over the video. He also discussed the reports of involvement of Ansar al-Sharia and the al Qaeda affiliate and called the assault a terrorist attack.

Mr. Petraeus presented the same findings the next day to the House intelligence panel, whose top Democrat, Maryland Rep. C.A. "Dutch" Ruppertsberger, requested unclassified talking points for lawmakers to use when speaking about the attack.

And the IC decide to withhold the information about a tie to AQIM in part because they were NSA intercepts.

After rounds of bureaucratic exchanges, the CIA officials seeking to remove al Qaeda won the argument, and officials agreed to retain the umbrella term "extremists" but drop the mention of al Qaeda.

The term represented a hedge the CIA

used because the attack's links to al Qaeda had yet to be confirmed. This argument was that including the name would have required additional wording to indicate uncertainty about the al Qaeda links—language that could have opened additional avenues for misinterpretation.

The information was derived from what was seen as a “tenuous” source—intercepts of phone calls between suspected militants saying that al Qaeda-linked militants took part in the attack. The evidence was deemed by some of the intelligence officials to be inconclusive.

Eliminating references to al Qaeda also would protect sources, some of the officials argued. With so few suspected al Qaeda-affiliated militants taking part in the attacks, officials were concerned that fingering al Qaeda in official information would tip them off that they were being monitored. [my emphasis]

Just as interesting, the WSJ hints at how much of the public pseudo-scandal derives from internal fights—this fight between IC bureaucrats over whether to include the al Qaeda link or not. It makes it clear that those privy to the intelligence but not part of the vetting process suspected political calculations influenced the talking points.

Among some military and intelligence officials who were familiar with the classified intelligence but weren't involved in the talking-points debate, Ms. Rice's TV comments on Sept. 16 came as a surprise. They questioned why officials like her didn't state the clear belief within intelligence circles that al Qaeda's North African affiliate was involved in the attack, and they saw

the administration's decision not to point to al Qaeda as a reluctance to talk about the attack as terrorism.

Some career intelligence analysts "were just fuming," a former U.S. official said. Unaware of the vetting process, some questioned whether the statements from top officials were influenced by political calculations.

And one of those people, we can assume, leaked the contents of the intercepts—precisely the thing the IC was trying to protect—to Eli Lake.

In the hours following the 9/11 anniversary attack on the U.S. consulate in Benghazi, Libya, U.S. intelligence agencies monitored communications from jihadists affiliated with the group that led the attack and members of Al Qaeda in the Islamic Maghreb (AQIM), the group's North African affiliate.

[snip]

That said, the intelligence community did not offer Congress or senior Obama administration officials any consensus analysis on the perpetrator of the attack in those early days after it occurred.

The communications between members of AQIM and AAS were important. One U.S. intelligence official who has read the raw intercepts said the conversations showed that AAS operatives were subordinate to the mid-level AQIM members. In one conversation, the AQIM manager was referred to with the kinds of honorifics usually reserved in Arab society for a more powerful man. A retired senior U.S. counterterrorism official who also was familiar with the intelligence confirmed this account.

Not all U.S. officials contacted for

this story piece agreed with this assessment

“Those individuals—whatever they may be—who took part in the attack all swim in the same, relatively small, extremist pond,” one U.S. official told The Daily Beast. “So there could be a number of individual or ad hoc ties with AQIM or other extremist groups. These connections alone do not mean AQIM was behind or planned the attack. This is why there’s an ongoing investigation, to identify the attackers and determine motives and relationships to extremist groups.”

Now, I’m not complaining that that information was liberated (though it did have precisely the effect intelligence professionals worried it might: it appears to have tipped Ali Ani al-Harzi off that he was being monitored, which in turn appears to have led him to flee Libya. This information, in more generic form, should have been released.

I’m amused by the silence of everyone—the Administration that has prosecuted a record number of leakers, the Congressman teaming up to pass new laws to criminalize leaking, and the Republicans who accuse the Administration of leaking to influence the election—regarding what was obviously a pretty incautious leak. Yeah, I get the politics here makes public complaint impossible for just about everyone (save, perhaps, the NSA, whose wiretaps were revealed).

But it shows just how selective most of the claims of concern about leaks really are.